UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

BLACKWATER LODGE AND TRAINING CENTER, INC., a Delaware corporation dba BLACKWATER WORLDWIDE, Plaintiff, vs. KELLY BROUGHTON, in his capacity as Director of the Development Services Department of the City of San Diego; THE DEVELOPMENT SERVICES DEPARTMENT OF THE CITY OF SAN DIEGO, an agency of the City of San Diego; AFSANEH AHMADI, in her capacity as the Chief Building Official for the City of San Diego; THE CITY OF SAN DIEGO, a municipal entity; and DOES 1-20, inclusive, Defendants.	CASE NO. 08-CV-0926 H (WMC) **TEMPORARY RESTRAINING ORDER**

The Court, having considered Plaintiff's application for a temporary restraining order and all arguments and submissions filed in response thereto or in support thereof, and finding that Plaintiff has established its entitlement under the law to the relief requested, orders as follows:

1. Plaintiff's application for a temporary restraining order is granted, for the reasons set forth in the Court's June 4, 2008 Order Granting Plaintiff's Application for

Temporary Restraining Order, which the Court incorporates into this Order as the findings in support of the temporary restraining order.

2. Defendants Kelly Broughton (in his capacity as Director of the Development Services Department of the City of San Diego), Afsaneh Ahmadi (in her capacity as Chief Building Official of the City of San Diego), the Development Services Department of the City of San Diego and the City of San Diego, their officers, agents, servants, employees and attorneys, and all those in active concert or participation with them, are hereby enjoined from (1) enforcing the May 19, 2008 letter from Defendant Broughton purportedly refusing to issue a Certificate of Occupancy for the property located at 7685 Siempre Viva Road, Otay Mesa ("the Otay Mesa facility") and refusing to allow Plaintiff Blackwater Lodge and Training Center, Inc. to occupy and use the Otay Mesa facility, and (2) refusing to perform the ministerial task of issuing a Certificate of Occupancy for the Otay Mesa facility as required under San Diego Municipal Code § 129.0114, pending the June 17, 2008 hearing on the Court's order to show cause why a preliminary injunction should not issue.

3. No later than June 6, 2008, Defendants shall submit to the Court proof of compliance with this Order.

4. Plaintiff shall promptly post a bond or other security in the amount of $10,000.

5. For good cause shown, this temporary restraining order shall remain in force and effect until the hearing on the order to show cause regarding a preliminary injunction.

IT IS SO ORDERED.

DATED: June 4, 2008

MARILYN L. HUFF, District Judge
UNITED STATES DISTRICT COURT

COPIES TO:
All parties of record.